

**CHADDS FORD TOWNSHIP,
DELAWARE COUNTY, PENNSYLVANIA**

ORDINANCE No. _____

AN ORDINANCE AMENDING THE ZONING MAP OF CHADDS FORD TOWNSHIP, AS INCORPORATED BY CHAPTER 135 OF THE CODE OF CHADDS FORD TOWNSHIP KNOWN AS THE CHADDS FORD TOWNSHIP ZONING ORDINANCE, ARTICLE III (“ESTABLISHMENT OF ZONING DISTRICTS”), SECTION 135-6 (“DISTRICT BOUNDARIES”), TO INCLUDE PROPERTY ON THE WESTERN SIDE OF WILMINGTON PIKE (S.R. 0202) AND SOUTH OF BRITONS BRIDGE ROAD HAVING PARCEL ID NUMBERS 04000035600 (1430 WILMINGTON PIKE), 04000035700 (11 OAKLAND ROAD), AND 04000035701 (0 WILMINGTON PIKE) WITHIN THE BOUNDARY OF THE PBC-1 PLANNED BUSINESS CENTER-1 ZONING DISTRICT OF CHADDS FORD TOWNSHIP AND AMENDING CHAPTER 135 OF THE CODE OF CHADDS FORD TOWNSHIP KNOWN AS THE CHADDS FORD TOWNSHIP ZONING ORDINANCE, ARTICLE XX (“BUFFER AREAS, LANDSCAPING AND ENVIRONMENTAL CONTROLS”), SECTION 135-161 (“LANDSCAPING REQUIREMENTS”), SUBSECTION D., SUBSECTION (5), SUBSECTION (a) TO PERMIT FLEXIBILITY OF THE FOUNDATION PLANTING REQUIREMENT FOR VEHICLE SALES AND/OR SERVICE USES, SUBJECT TO REVIEW AND APPROVAL BY THE BOARD OF SUPERVISORS.

WHEREAS, Chadds Ford Township desires to provide more appropriate commercial use for properties located along the western side of Wilmington Pike (S.R. 0202).

WHEREAS, the existing zoning designation has proven to be a limitation in the redevelopment of the existing property for viable commercial use.

WHEREAS, the Board of Supervisors desires to remediate the limitation imposed by the existing zoning district and to apply a zoning district that will open the doors to more viable commercial use.

WHEREAS, the Board of Supervisors recognizes that development projects are unique and desires to provide some flexibility of the landscaping requirements of the Zoning Ordinance for vehicle service and/or sales use.

NOW, THEREFORE, the Board of Supervisors of Chadds Ford Township, Delaware County, Pennsylvania, hereby ordains:

SECTION 1. ZONING MAP AMENDMENT.

The Zoning Map of Chadds Ford Township, which is adopted and referenced in Article III entitled “Establishment of Zoning Districts,” Section 135-6 entitled “District boundaries,” of the Chadds Ford Township Zoning Ordinance, shall be amended to change the zoning designation of the following parcels:

Portion of Parcel ID Number 04000035600 (1430 Wilmington Pike) currently zoned PBC Planned Business Center Zoning District shall be rezoned to PBC-1 Planned Business Center-1 Zoning District.

Portion of Parcel ID Number 04000035700 (11 Oakland Road) currently zoned PBC Planned Business Center Zoning District shall be rezoned to PBC-1 Planned Business Center-1 Zoning District.

Portion of Parcel ID Number 04000035701 (0 Wilmington Pike) currently zoned PBC Planned Business Center Zoning District shall be rezoned to PBC-1 Planned Business Center-1 Zoning District.

The new zoning district designation for the parcels set forth above is depicted on the excerpt of the Zoning Map, titled Zoning Map Amendment, which is attached to this Ordinance as Exhibit “A.” This Zoning Map Amendment shall be incorporated into the official Zoning Map of Chadds Ford Township, as herein amended.

SECTION 2. ZONING ORDINANCE AMENDMENT

The Chadds Ford Township Zoning Ordinance, as amended, Article XX (“Buffer Areas, Landscaping and Environmental Controls”), Section 135-161 (“Landscaping requirements.”), Subsection D., Subsection (5), Subsection (a) is hereby amended as follows:

“(a) A combination of evergreen and deciduous trees and shrubs shall be used as "foundation" plantings, i.e., plantings to be installed in reasonably close proximity to the facades. **The number, location, type, size, height and other characteristics of “foundation” plantings may be modified for vehicle sales and/or service uses, subject to the review and approval of the Board of Supervisors.**”

SECTION 3. INCONSISTENT ORDINANCES REPEALED. Any Ordinances or Resolutions or parts thereof of Chadds Ford Township, Delaware County, Pennsylvania that conflict with this Ordinance are hereby repealed.

SECTION 4. SEVERANCE. The provisions of this Ordinance are severable, and if any part hereof shall be held or declared illegal, invalid or unconstitutional by any court of competent jurisdiction, the decision shall not affect or impair any of the remaining provisions of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors that this Ordinance

would have been adopted if such illegal, invalid or unconstitutional article, section, subsection, clause, sentence or part thereof had not been included herein.

ENACTED and **ORDAINED** by the Chadds Ford Township Board of Supervisors this
_____ day of _____, 20____.

CHADDS FORD TOWNSHIP
BOARD OF SUPERVISORS

Frank G. Murphy, Chairperson

ATTEST:

Samantha Reiner, Vice Chairperson

Maryann D. Furlong
Township Manager/Secretary

Noelle Barbone, Supervisor

EXHIBIT A ZONING MAP AMENDMENT

ZONING MAP CHADDS FORD TOWNSHIP Delaware County

